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AUG 19 2019

RECEIVED

The Corporation of the City of Kawartha Lakes

By-Law 2018-169

A By-Law to Repeal and Replace By-Law 1987-06, Being a By-Law to designate 12 Russell Street East, Lindsay, in the City of Kawartha Lakes as being of Cultural Heritage Value and Interest

Recitals

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, provides that the Council of a municipality may pass a by-law designating a property within the boundaries of the municipality to be of cultural heritage value or interest.
2. Notice of Intention to Designate 12 Russell Street East, Lindsay, City of Kawartha Lakes, described further in Schedule "A", has been given in accordance with Section 29 of the Ontario Heritage Act.
3. No objection to the proposed designation has been served on the Clerk of the City.
4. Reasons for Designation are set forth in Schedule "A".

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-169.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

"City", "City of Kawartha Lakes" or "Kawartha Lakes" means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

"Council" or "City Council" means the municipal council for the City;

"Director of Development Services" means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

"Property" means property as set out in Section 2.01.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

- (b) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Designation

- 2.01 12 Russell Street East, Lindsay, City of Kawartha Lakes, is designated as being of historic interest and value, described further in Schedule "A". This designation shall not preclude any changes that may be deemed necessary for the efficient use of the building but that any and all such changes shall be in keeping with the original and present character of the building and in consultation with the municipal heritage committee.
- 2.02 The City is hereby authorized to cause a copy of this by-law to be registered against the property described above in the proper Land Registry Office.
- 2.03 The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper.

Section 3.00: Enforcement, Offence and Penalties

- 3.01 **Enforcement:** This by-law may be enforced by every municipal law enforcement officer and police officer.
- 3.02 **Offence and Penalty:** It is an offence for a person to contravene any provision of this by-law, and every person who contravenes this by-law is guilty of an offence and, on conviction, is liable to a fine in accordance with the provisions of the *Provincial Offences Act* and to any other applicable penalty.

Section 4.00: Administration and Effective Date

- 4.01 **Administration of the By-law:** The Director of Economic Development is responsible for the administration of this by-law.
- 4.02 **Effective Date:** This By-law shall come into force on the date it is finally passed

Section 5.00 Repeals

5.01 Repeal: By-law 1987-06 is repealed.

By-law read a first, second and third time, and finally passed, this 25 day of September, 2018

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law 2018-169

Being a By-law to designate 12 Russell Street East, Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

This Upper Canada Georgian style home is located at the north east corner of Russell Street East and Mill Street.

Legal Description:

LOT 3N RUSSELL ST E

PIN: 63229- 0125

REASON FOR DESIGNATION

Architectural Design or Physical Value:

One of the main characteristics of this dwelling is its rectangular and symmetrical shape, which is consistent with Georgian architecture. In the central bay of the home, the façade protrudes outward. There is a small, gable roof which governs this protruding section. This projecting Georgian is unique in that it does not feature a Palladian window about the entryway. The main entrance features double doors with transoms above, with a unique Greek Revival temple style veranda. The second storey windows feature a rounded arch window lintel while the first storey windows feature a small gabled lintel. Two chimneys sit atop the hipped roof.

Historical Significance:

Originally housing the Bank of Upper Canada, this historically significant home has been contributing to Lindsay's community since 1853. The Bank of Upper Canada failed in 1863 at which point it was absorbed by the Ontario Bank, followed by The Bank of Montreal. It ceased operation as a bank when it was purchased by Mossom Boyd in 1873.

ATTRIBUTES TO BE CONSERVED:

- Front façade of the home with a center bay protruding from the home
- Gabled lintel over the main storey windows
- Transoms above double doors
- Rounded arched lintels over second storey windows in a rococo design
- Two brick chimneys balancing the home on either side of the roof